

## STATE OF SOUTH CAROLINA

## (Caption of Case)

In re: Combined Application of South Carolina  
Electric & Gas Company for a Certificate of  
Environmental Compatibility and Public  
Convenience and Necessity for a Base Load Review  
Order for the Construction and Operation of a  
Nuclear Facility in Jenkinsville

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

## COVER SHEET

## DOCKET

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NUMBER: 2008 - 196 - E

NOV 12 2013

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(Please type or print)

Submitted by: Belton T. Zeigler

SC Bar Number: 5754

Address: Pope Zeigler, LLC

Telephone: 803.354.4949

1411 Gervais Street, Suite 300

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Columbia, SC

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

## DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certificatio	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigator	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input checked="" type="checkbox"/> Report		



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SC PUBLIC SERVICE  
COMMISSION

Belton T. Zeigler  
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November 8, 2013

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PSC SC  
MAIL/DMS

The Honorable Jocelyn Boyd  
Chief Clerk and Administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive  
Columbia, South Carolina 29210

Re: Quarterly Report of SCE&G Concerning Construction of V.C. Summer Nuclear Station  
Units 2 and 3

Dear Ms. Boyd:

Enclosed please find informational copies of South Carolina Electric & Gas Company's (the "Company" or "SCE&G") Quarterly Report (the "Report") for the period ending September 30, 2013, related to the construction of V.C. Summer Nuclear Station Units 2 and 3 (the "Units"). This Report is being filed with the South Carolina Office of Regulatory Staff ("ORS") pursuant to the Base Load Review Act, S.C. Code Ann. § 58-33-277 (Supp. 2012) and the provisions of Order No. 2009-104(A) of the Public Service Commission of South Carolina (the "Commission").

Because this Report contains certain commercially sensitive information, SCE&G is filing both redacted (Public) and unredacted (Confidential) versions of this Report with the Commission and with ORS. For your convenience, we are providing you with ten (10) copies of the Public version of this Report. SCE&G is also providing one (1) copy of the Confidential version of this Report and is hereby petitioning the Commission to enter a confidentiality order protecting the commercially sensitive information contained therein from disclosure, as set forth below.

The Confidential version of this Report contains confidential information related to the pricing and pricing terms of the Engineering, Procurement and Construction Agreement (the "EPC Contract") between SCE&G and a consortium consisting of Westinghouse Electric Company, LLC and Chicago Bridge & Iron, formerly the Shaw Group, (collectively, the "Contractor"). The EPC Contract contains confidentiality provisions that require SCE&G to protect proprietary information that the Contractor believes to constitute trade secrets and to be commercially sensitive. The Contractor has requested that SCE&G maintain the confidentiality of certain information contained in **Appendix 2** and **Appendix 3**. This confidential information has been redacted from the Public Version of these appendices.

In keeping with the Contractor's request and the terms of the EPC Contract, SCE&G respectfully requests that the Commission find that the Confidential version of the Report contains protected information and issue a protective order barring the disclosure of certain portions of **Appendix 2**, and **Appendix 3** of the Report under the Freedom of Information Act, S.C. Code Ann. §§ 30-4-10 *et seq.*, 26 S.C. Code Ann. Regs. 103-804(S)(1), or any other provision of law, except in its public form. Pursuant to 26 S.C. Code Regs. 103-804(S)(2), the determination of whether a document may be exempt from disclosure is within the Commission's discretion. Such a ruling in this instance would be consistent with the Commission's prior rulings in Docket No. 2008-196-E, Docket No. 2009-211-E, and Docket No. 2010-376-E. In those dockets, the Commission found, among other things, that the pricing and pricing terms of the EPC Contract are confidential, and issued a protective order barring the disclosure of such information. *See e.g.*, Commission Order Nos. 2008-467; 2008-696, as amended by Order Nos. 2008-739; 2009-888, 2010-198 issued in Docket No. 2008-196-E; Commission Order No. 2009-401 issued in Docket No. 2009-211-E; Commission Order Nos. 2010-795, 2011-127, and 2011-177 issued in Docket No. 2010-376-E; and Commission Orders Nos. 2012-415, 2012-621 and 2012-623 issued in Docket No. 2012-203-E.

To this end, and in accordance with Commission Order No. 2005-226, dated May 6, 2005, in Docket No. 2005-83-A, enclosed with this letter is as follows:

1. A true and correct copy of the Confidential version of the Report in a sealed envelope marked "CONFIDENTIAL." The title page of the Confidential version of the Report is marked "CONFIDENTIAL VERSION" and each page of the Confidential version of the Report is marked "CONFIDENTIAL VERSION."
2. Ten copies of a redacted Public version of the Report.

In the event that anyone should seek disclosure of the unredacted Confidential version of the Report, SCE&G respectfully requests that the Commission notify SCE&G of such request and provide it and the Contractor with an opportunity to obtain an order from this Commission or a court of competent jurisdiction protecting the Confidential version of this document from disclosure.

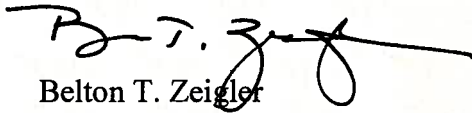
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**LAW FIRM**

COLUMBIA | CHARLOTTE

The Honorable Jocelyn Boyd  
Public Service Commission of  
South Carolina  
November 8, 2013  
page | 3

If you have any questions regarding these matters, please contact me.

Sincerely,



Belton T. Zeigler

cc: C. Dukes Scott  
John Flitter  
Shannon Bowyer Hudson, Esquire  
K. Chad Burgess, Esquire



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SC PUBLIC SERVICE  
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November 8, 2013

C. Dukes Scott, Executive Director  
John Flitter, Director of Electric and Gas Regulation  
Shannon Bowyer Hudson, Esquire  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, SC 29201

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PSC SC  
MAIL / DMG

Re: Quarterly Report of SCE&G Concerning Construction of V.C. Summer Nuclear Station  
Units 2 and 3

Dear Mr. Scott:

Enclosed please find South Carolina Electric & Gas Company's (the "Company" or "SCE&G") Quarterly Report (the "Report") for the period ending September 30, 2013, related to the construction of V.C. Summer Nuclear Station Units 2 and 3 (the "Units"). This Report is filed pursuant to the Base Load Review Act, S.C. Code Ann. § 58-33-277 (Supp. 2012) and the provisions of Order No. 2009-104(A) of the Public Service Commission of South Carolina (the "Commission").

Because the Report contains certain commercially sensitive information, SCE&G is filing both redacted (Public) and unredacted (Confidential) versions of this Report. For your convenience, SCE&G is providing two (2) copies of the Public version of this Report. In addition, we are providing you with ten (10) copies of the Confidential version of this Report. The Confidential version of this Report is being submitted to you pursuant to the Confidentiality Agreement entered into between ORS and SCE&G on July 21, 2009.

SCE&G submits that the information designated as confidential is entitled to protection from public disclosure under the S.C. Rules of Civil Procedure and is exempt from public disclosure under S.C. Code Ann. § 30-4-10, *et seq.* Accordingly, the Confidential version of this Report contains unredacted versions of **Appendix 2** and **Appendix 3** and is being provided to you pursuant to S.C. Code Ann. § 58-4-55(c) (Supp. 2012) such that ORS may fulfill its statutory obligation under S.C. Code Ann. § 58-33-277(B). SCE&G intends to file the Confidential version of this Report with the Commission and will seek an appropriate protective order.

SCE&G looks forward to working with the ORS in its review and audit of this information. If you have any questions regarding these matters, please advise.

Sincerely,



Belton T. Zeigler

Enclosures

cc: The Honorable Jocelyn Boyd  
K. Chad Burgess, Esquire

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**

**DOCKET NO. 2008-196-E**

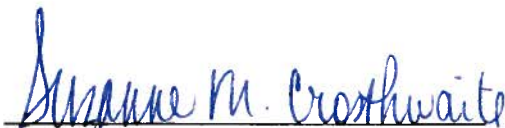
IN RE:

**In re:**  
**Combined Application of South Carolina**  
**Electric & Gas Company for a Certificate of**  
**Environmental Compatibility and Public**  
**Convenience and Necessity for a Base Load**  
**Review Order for the Construction and**  
**Operation of a Nuclear Facility in**  
**Jenkinsville, South Carolina**

**CERTIFICATE OF SERVICE**  
**QUARTERLY REPORT**  
**ENDING SEPTEMBER 30, 2013**

This is to certify that I have caused to be served this day one (1) copy of the Confidential Version and ten (10) copies of the Public Version of **South Carolina Electric & Gas Company's Letter and Quarterly Report Ending September 30, 2013**, upon the person named below, via hand delivery and electronic mail to the PSC as listed below:

The Honorable Jocelyn Boyd  
Chief Clerk and Administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive  
Columbia, South Carolina 29210  
jocelyn.boyd@psc.sc.gov

  
Suzanne M. Crosthwaite

Columbia, South Carolina  
This 8th day of November, 2013

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COMMISSION

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